

910.7 Petition for hearing — appellate review.

1. At any time during the period of probation, parole, or incarceration, the offender, the prosecuting attorney, or the office or individual who prepared the offender's restitution plan may petition the court on any matter related to the plan of restitution or restitution plan of payment and the court shall grant a hearing if on the face of the petition it appears that a hearing is warranted.

2. After a petition has been filed, the court, at any time prior to the expiration of the offender's sentence, provided the required notice has been given pursuant to [subsection 3](#), may modify the plan of restitution or the restitution plan of payment, or both, and may extend the period of time for the completion of restitution.

3. If a petition related to a plan of restitution has been filed, the offender, the prosecuting attorney, the department of corrections if the offender is currently confined in a correctional institution, the office or individual who prepared the offender's restitution plan, and the victim shall receive notice prior to any hearing under [this section](#).

4. An appellate court shall not review or modify an offender's plan of restitution, restitution plan of payment, or any other issue related to an offender's restitution under [this subsection](#), unless the offender has exhausted the offender's remedies under [this section](#) and obtained a ruling from the district court prior to the issue being raised in the appellate courts.

5. Appellate review of a district court ruling under [this section](#) shall be by writ of certiorari.

[C75, 77, §789A.8; C79, 81, §907.12; [82 Acts, ch 1162, §8](#)]

[83 Acts, ch 56, §4](#); [86 Acts, ch 1075, §6](#); [2001 Acts, ch 133, §1](#); [2020 Acts, ch 1074, §79, 80, 83](#)

Referred to in [§910.2A](#), [910.2B](#), [910.3](#)

Subsections 1 and 3 amended

NEW subsections 4 and 5